

HOUSE BILL 2542
By Bragg

AN ACT to amend Tennessee Code Annotated, Section 63-12-128; Section 63-12-129; Section 63-12-136 and Section 63-12-137, to permit certain employment and contractual arrangements in the practice of veterinary medicine.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-12-128(a), is amended by deleting the first sentence in its entirety and by substituting instead the following language:

The board shall have authority to enter an order to discipline any person, corporation or other similar organization, public or private, for profit or nonprofit, who, after a proper hearing, has been found guilty by the board of a violation of one (1) or more provisions of this chapter, or any rule of the board.

SECTION 2. Tennessee Code Annotated, Section 63-12-128(a), is further amended by deleting the word "or" following the word "delivered" in subdivision (a)(6), by renumbering subdivision (a)(7) as (a)(8) and by inserting the following new subdivision:

(a)(7) Suspend or limit the right to own or operate a veterinary facility in this state; or

SECTION 3. Tennessee Code Annotated, Section 63-12-129(a)(2), is amended by deleting the language, "animal hospitals or veterinary establishments" and substituting instead the language "veterinary facilities".

SECTION 4. Tennessee Code Annotated, Section 63-12-136, is amended by deleting the section in its entirety.

SECTION 5. Tennessee Code Annotated, Section 63-12-137, is amended by deleting the section in its entirety and by substituting instead the following:

(a) It is unlawful for any licensed veterinarian to practice veterinary medicine as an employee of any person other than a veterinarian duly licensed in this state or a veterinary facility operated at all times under the direct medical supervision of a veterinarian duly licensed in this state.

(b) No person, corporation or other similar organization, public or private, for profit or nonprofit, other than a veterinarian duly licensed in this state, shall own or operate a veterinary facility within this state, except as follows:

(1) The veterinary facility shall be operated at all times under the direct medical supervision of a veterinarian duly licensed in this state, who shall be accountable to the board for the facility's compliance with the laws and rules governing the practice of veterinary medicine in this state;

(2) The owner of the veterinary facility shall provide to the board the name and address of practice of the supervising veterinarian responsible for the facility and meet such other requirements for the operation of the facility as specified by the board in rules and regulations; and

(3) The owner of the veterinary facility shall not restrict or interfere with medically appropriate veterinary diagnostic or treatment decisions by the veterinarians employed at the facility.

(c) The following are exempt from this section:

(1) A veterinarian employed by a person, corporation or other similar organization, public or private, for profit or nonprofit, to treat an employer's animal(s);

(2) A veterinarian employed by an official agency of the federal or state government, or any subdivision thereof; and

(3) A veterinarian employed by any licensed research facility.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.